

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 1, 2002**

E030646 Michael Portantino v. James J. Suguitan et al.

Opinion

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Ward, J.

**E031034 In re Heather G., a Person Coming Under the Juvenile Court Law.
People v. Heather G.**

Opinion

Judgment affirmed.

Richli, J.,

We Concur: Hollenhorst, Acting P.J., Ward, J.

**E030314 In re Eric A., a Person Coming Under the Juvenile Court Law.
People v. Eric A.**

Opinion

Judgment dismissed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 2, 2002**

Court convened at 9:00am

Panel 1a
Present:
Ramiez, P.J.
Hollenhorst, J.
Gaut, J.
P. D. Garcia, Deputy Clerk

E030010 People v. Lawrence Romero

Merits. Cause called and David L. Tucker, Esq., argued for appellant; Robert M. Foster, Deputy Attorney General, argued for respondent. Cause submitted.

E029397 People v. Donald L. Beeson

Merits. Cause called and Gerald J. Miller, Esq., argued for appellant; Robert M. Foster, Deputy Attorney General, argued for respondent. Cause submitted.

E028775 Sharon Roberts v Redlands Centennial Bank

Merits. Cause called and Edward L. Xanders, Esq., argued for appellant; Gerald M. Serlin, Esq., argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 1
Present:
Hollenhorst, Acting P.J.
Richli, J.
Ward, J.
P. D. Garcia, Deputy Clerk

E030917 Williams Communication LLC et al. v. Superior Court;

Merits. Cause called and James C. Powers, Esq., argued for petitioners; Michael V. McIntire, Esq., argued for real parties in interest. Cause submitted.

Court recessed.

Court reconvened at 1:30pm

Panel 2

Present:

McKinster, Acting P.J.

Ward, J.

Gaut, J.

Steve McElroy, Deputy Clerk

E030821 In re Stephanie R. et al., Persons Coming Under the Juvenile Court Law

Department of Children's Services v. Donald R. et al.

Merits. Cause called and Richard Pfeiffer, Esq., argued for appellants; Donna L. Carlson and Paymon Bidari, Deputies County Counsel, argued for respondent, Department of Children's Services; Suzanne Evans, Esq., argued for minor, Stephanie R.; Robert W. Gehring, Esq., argued for minor Tyler R.; M. Elizabeth Handy, Esq., argued for minors, Donald R. and Joann R. Cause submitted.

Court recessed.

Court reconvened.

Panel 2a

Present:

McKinster, Acting P.J.

Richli, J.

Ward, J.

Steve McElroy, Deputy Clerk

E028629 People v. Tony Raya

Merits. Cause called and Eric Larson, Esq., argued for appellant; Lilia E. Garcia, Deputy Attorney General, argued for respondent. Cause submitted.

E028765 People v. Kevin Clay et al.

Merits. Cause called and Conrad Petermann, Esq., argued for appellant, Kevin E. Clay; David J. Macher, Esq., argued for appellant, Ronnell E. Woods; Gil P. Gonzalez, Deputy Attorney General, argued for respondent. Cause submitted.

E030152 People v. Jesus M. Dealba

Merits. Cause called and John L. Staley, Esq., argued for appellant; William M. Wood, Deputy Attorney General, argued for respondent. Cause submitted.

E029528 People v. Mark Cosgrove

Merits. Cause called and Chris Truax, Esq., argued for appellant; Lilia E. Garcia, Deputy Attorney General, argued for respondent. Cause submitted.

178

E029919 People v. Donald R. Vierheller

Merits. Cause called and Patricia Ihara, Esq., argued for appellant; Gil P. Garcia, Deputy Attorney General, argued for respondent. Cause submitted.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 3, 2002**

Court convened at 9:00am

Panel 3

Present:

Ramirez, P.J.

Hollenhorst, J.

Ward, J.

Kelly Conn, Deputy Clerk

E030509 Gerardo G. Licon et al. v. State of California et al.

Merits. Cause called and Mark F. Carbonell, Esq., argued for appellants; Elizabeth Reed-Feyzbakhsh, Esq., argued for respondents. Cause submitted.

E029475 Marilyn Ware v. Chino Unified School District

Merits. Cause called and Marilyn Ware, argued as appellant in pro per; Brandie Nichole Charles, Esq., argued for respondent. Cause submitted.

E029561 Michele Golden v. Timothy Golden

Merits. Cause called and Karen S. Brown, Esq., argued for appellant; Timothy Golden, argued as respondent in pro per. Cause submitted.

E029652 Robert T. Amato v. California Dept. of Mental Health et al.

Merits. Cause called and Thomas A. Schultz, Esq., argued for appellant; Barbara A. Noble, Deputy Attorney General, argued for respondents. Cause submitted.

E030429 Craig Harold et al. v. David Frymire

Merits. Cause called and Carlton Lee Harpst, Esq., argued for appellants; Mark M. Gnesin, Esq., argued for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30pm

Panel 4

Present:
McKinster, Acting P.J.
Richli, J.
Gaut, J.
Ann Dee Smith, Deputy Clerk

E028795 Maria Del Carmen Mejia v. Comm Hospital of San Bernardino
Merits. Cause called and Martin P. Weniz, Esq., argued for appellant; Laura D. Schmidt, Esq., argued for respondent. Cause submitted.

E029692 Willem C. Onink et al. v. Western Waste Industries
Merits. Cause called and Fred J. Knez, Esq., argued for appellants; William Nathan Camby, Esq., argued for respondent. Cause submitted.

E030543 Dyck-O-Neal v. Kerry A. Mayer
Merits. Cause called and James L. Schmerbauch, Esq., argued for appellant; Steve Neimand, Esq., argued for respondent. Cause submitted.

E030726 Edward H. Franklin v. Dale E. Fowler et al.
Merits. Cause called and Peter M. Schnirch, Esq., argued for appellant; W.O. Robinson, Esq., argued for respondents. Cause submitted.

E029788 Douglas Dickinson et al. v. Wal-Mart Stores, Inc. et al.
Merits. Cause called and Dale Gronemeier, Esq., argued for appellants; Will Tomlinson, Esq., argued for respondents. Cause submitted.

E030186 Chris Pedersen v. Susan Jones; S-P Murdy, LLC
Merits. Cause called and Gary J. Bryant, Esq., argued for appellant; Steven Robert Orr, Esq., argued for respondent, Susan W. Jones; Douglas S. Kerner, Esq., argued for respondent, S-P Murdy, LLC. Cause submitted.

E029792 Steven Ackerman et al. v. Darryl Lawson et al.
Merits. Cause called and James E. Klinkert, Esq., argued for appellants, Steven Ackerman et al.; Michael J. Nunez, Esq., argued for appellants, Century 21 Olde Tyme Realty and Darryl Lawson et al. Cause submitted.

Court Adjourned.

E031707 Randy G. et al. v. Superior Court; Department of Public Social Services

Petitions denied.

Opinion

Ward, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 4, 2002**

Holiday.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 5, 2002**

**E030887 In re A.T., a Person Coming Under the Juvenile Court Law;
People v. A. T.**

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

E029366 People v. Leslie C. Thornell

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

E031365 Henry T. v. The Superior Court of the County of Riverside; Riverside

County Department of Public Social Services.

Opinion

Petition granted.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

E030125 Turco Desert Company, Inc. v. Agricultural Labor Relations Board;

Alberto B. Ramirez

Opinion

Order annulled.

Ward, J.

We concur: McKinster, Acting P.J., Richli, J.

E030734 Fontana Police Department v. Ned Wesley

Opinion

Judgment Reversed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Ward, J.

E030223 In re Timothy C., a Person Coming Under the Juvenile Court Law.

People v. Timothy C.

Opinion

Judgment modified and affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Ward, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 8, 2002**

No Minutes for July 8, 2002.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 9, 2002**

E029561 In re Marriage of Michele and Timothy Golden

Opinion

Michele Golden v. Timothy Golden

Judgment Reversed with directions.

Ward, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E030757 In re Elijah C., a Person Coming Under the Juvenile Court Law;

Department of Children's Services v. Evelyn C. et al.

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Ward, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 10, 2002**

E030186 Chris Pedersen v. Susan Jones; S-P Murdy, LLC

Opinion

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Richli, J.

E029919 People v. Donald R. Vierheller

Opinion

Judgment affirmed with directions.

Ward, J.

We concur: McKinster, Acting P.J., Richli, J.

E028765 People v. Kevin Eugene Clay et al.

Opinion

Judgment affirmed in part, reversed in part, and remanded with directions.

Richli, J.

We concur: McKinster, Acting P.J., Ward, J.

E030429 Craig Harold et al. v. David Frymire

Opinion

Judgment affirmed.

Ward, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E030543 Dyck-O-Neal v. Kerry A. Mayer

Opinion

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., Gaut, J.

E030152 People v. Jesus M. Dealba

Opinion

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., Ward, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 11, 2002**

E029475 Marilyn Ware v. Chino Unified School District

Opinion

Judgment affirmed.

Ward, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E029397* People v. Donald Lynn Beeson

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

*CERTIFIED FOR PUBLICATION

E029969 Upland Anesthesia Medical Group v. The Doctors' Co.

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

E030010* People v. Lawrence Romero

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

*Certified for Publication

E030759* In re Marriage of Linda M. and Paul L. Romero

Opinion

Linda M. Romero v. Paul L. Romero

Reversed with directions.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

*Certified for Publication

E031061 In re O.S. et al., Persons Coming Under the Juvenile Court Law

Department of Children's Services v. Jorge S.

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

185

E029491 People v. William Allen Kernes

Opinion

Judgment affirmed.

Ward, J.

We concur: Ramirez, P.J., Gaut, J.

**E030207 Verle V. Forbes etc. v. County of San Bernardino et al.; Opinion
A-L**

Financial Corporation v. County of San Bernardino et al.

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

**E030339 In re Benjamin A., A Person Coming Under the Juvenile Court Law
People v. Benjamin A.**

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 12, 2002**

E030976 Dennis L. Demaio v. CA Department of Motor Vehicles

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

E030463 People v. David Alberto Valdivia

Opinion

Judgment reversed in part; affirmed in part with directions.

Ward, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

**E028795* Maria Del Carmen Mejia v. Community Hospital of
San Bernardino**

Opinion

Judgment reversed.

McKinster, Acting P.J.

We concur: Richli, J., Gaut, J.

*CERTIFIED FOR PUBLICATION

E028629 People v. Tony Raya

Opinion

Judgment affirmed.

McKinster, Acting P.J.

We concur: Richli, J., Ward, J.

E029788 Douglas Dickinson et al. v. Wal-Mart Stores, Inc. et al.

Opinion

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Richli, J.

E030198 People v. Calverta Palmer, Jr.

Opinion

Judgment affirmed.

Ward, J.

We concur: Ramirez, P.J., Gaut, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 15, 2002**

E030726 Edward H. Franklin v. Dale E. Fowler et al.

Opinion

Judgment reversed.

Richli, J.

We concur: McKinster, Acting P.J., Gaut, J.

E028775 Sharon Roberts v. Redlands Centennial Bank

Opinion

Judgment affirmed in part, reversed in part.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 16, 2002**

**E030745 In re Sanuel S., a Person Coming Under the Juvenile Court Law.
People v. Samuel S.**

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

**E030881 In re Daniel H., a Person Coming Under the Juvenile Court Law
Department of Public Social Services v. Amelia M.**

Appellant's petition for rehearing is denied.

**E031100 In re A.H. et al., Persons Coming Under the Juvenile Court Law
Department of Public Social Services v. K. M.**

Opinion

Judgment affirmed.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

E030639 People v. Richard B. Keys

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Ward, J., Gaut, J.

**E030909 In re Trang T., a Person Coming Under the Juvenile Court Law
People v. Tang T.**

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Ward, J., Gaut, J.

E028640 People v. Leonard A. Resendez
Appellant's petition for rehearing is denied.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 17, 2002**

E031268 In re Michael O., a Person Coming Under the Juvenile Court Law

Department of Children's Services v. Rafael O. et al.

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Richli, J.

E031638 Doris V. v. Superior Court; Department of Children's Services
Petition denied

Opinion

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

E028738 In re Hector A., A Person Coming Under the Juvenile Court Law
People v. Hector A.

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

E022767 People v. Fernando Castillo Chang

Judgment affirmed with directions.

Ramirez, P.J.,

We concur: Hollenhorst, J., Ward, J.

E030935 People v. John Manuel Gonzales

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

E029652 Robert T. Amato v. California Dept. of Mental Health et al.

Opinion

Judgment reversed and remanded.

Ward, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E030673 People v. James Carey

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 18, 2002**

No Minutes for July 18, 2002.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 19, 2002**

No Minutes for July 19, 2002.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 22, 2002**

**E030821 In re Tyler R. et al., Persons Coming Under the Juvenile Court Law
Department of Children's Services v. Connie R. et al.**

Opinion

Judgment affirmed as to Tyler. Appeal dismissed as to Donald, JoAnn and Stephanie

Ward, J.

We concur: McKinster, Acting P.J., Gaut, J.

E029695 People v. Mario Guadalupe Cortez

Opinion

Judgment affirmed with modifications.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Richli, J.

E027669 People v. Jack C. Rich

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Ward, J., Gaut, J.

**E030964 In re Chevy L., a Person Coming Under the Juvenile Court Law
People v. Chevy L.**

Opinion

Judgment affirmed with directions.

Richli, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

**E031115 In re Angel C., a Person Coming Under the Juvenile Court Law.
Department of Children's Services v. Aurelia C.**

Opinion

Judgment affirmed with directions.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Richli, J.

E031295 In re Charles F., a Person Coming Under the Juvenile Court Law.

Department of Public Social Services v. Laura R.

Opinion

Judgment affirmed.

McKinster, J.

We concur: Ramirez, P.J., Gaut, J.

191

**E031320 In re Charmaine Y., a Person Coming Under the Juvenile Court Law;
People v. Charmaine Y.**

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Richli, J.

E030764 Jeffrey P. Bennett v. Richard D. Ackerman

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Richli, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 23, 2002**

**E031113 In re Erica L. et al., Persons Coming Under the Juvenile Court Law
Department of Public Social Services v. Lydia R.**

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Ward, J., Gaut, J.

E029692 Willem C. Onink et al. v. Western Waste Industries

Opinion

Judgment Reversed.

McKinster, Acting P.J.

We concur: Richli, J., Gaut, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 24, 2002**

E031664 Jerry M. v. San Bernardino County Superior Court; Department of

Children's Services

Opinion

Petition Denied.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

**E031765 Walter D. v. The Superior Court of the County of Riverside;
Riverside County Department of Public Social Services**

Opinion

Petition denied.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

E029435 People v. Cory James Watson

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

**E031008 In re A.V., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. C.V.**

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 25, 2002**

E030582 Joseph Cavon et al. v. Chase Publications, Inc. et al.

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

E030440 People v. Ronnie Lopez

Opinion

Judgment affirmed.

Ward, J.

We concur: Ramirez, P.J., Gaut, J.

**E031021 In re Christopher B., et al., Persons Coming Under the Juvenile Court
Law**

Department of Public Social Services v. Danita B.

Opinion

Judgment affirmed.

Ward, J.

We concur: Ramirez, P.J., Gaut, J.

E029538 People v. Donald Lee McCallister

Opinion

Judgment affirmed.

In re Donald Lee McCallister on Habeas Corpus

Petition denied.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Richli, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 26, 2002**

E030259 People v. Douglas Reid Devries

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

E030627 People v. Jason Halverson

Opinion

Judgment affirmed.

Richli, Acting P.J.

We concur: Ward, J., Gaut, J.

E030843 James Napierala v. Craig Cote

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

E029253 People v. Richard Hernandez

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Ward, J.

**E030917 Williams Communication LLC et al. v. Superior Court;
Davey Reed et al.,**

Opinion

Petition granted.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

E029499 People v. Roy Latrae Parker

Opinion

Judgment affirmed.

McKinster, J.

We concur: Ramirez, P.J., Gaut, J.

**E030398 In re Katherine B., a Person Coming Under the Juvenile Court Law
People v. Katherine B.**

Opinion

Judgment affirmed.

E031218 In re Katherine B. on Habeas Corpus.

Petition denied.

Richli, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

E029919 People v. Donald Robert Vierheller

Appellant's petition for rehearing denied.

Ward, Acting P.J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 29, 2002**

**E031314 In re Brenda G., a Person Coming Under the Juvenile Court Law
Department of Children's Services v. Delores G.**

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Ward, J.

E029585 People v. Marshall L. Smith

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Ward, J.

E028765 People v. Kevin Eugene Clay et al.

Modification of

Opinion

No change in judgment.

Richli, J.

We concur: McKinster, Acting P.J., Ward, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 30, 2002**

**E030898 In re Destanie G., a Person Coming Under the Juvenile Court Law
Department of Children's Services v. Christopher B.**

Opinion

Appeal dismissed.

Ward, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

E031568 Terrence S. v. Superior Court; County of San Bernardino

Opinion

Petition denied.

Ward, J.

We concur: Ramirez, P.J., Gaut, J.

E029975 Joseph J. Fijak v. Jeffrey A. Hollander et al.

Opinion

Judgment reversed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

E030140 People v. Robert C. Callejas

Opinion

Judgment affirmed with directions.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Gaut, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
July 31, 2002**

E030404 People v. Charles Lemon Lewis

Opinion

Judgment affirmed.

Richli, Acting P.J.

We concur: Ward, J., Gaut, J.

E029025 People v. Leroy Kelly Johnson, Sr.

Opinion

Judgment reversed in part, and affirmed in part.

Ward, J.

I concur: McKinster, J.

I dissent: Ramirez, P.J.